Let's talk about justifiable homicide by peace officers—when California law allows police to use deadly force, and when that use is legally protected.

In high-pressure situations, peace officers often have to make split-second decisions. California law gives officers a legal framework for those decisions—especially when it comes to deadly force. And understanding that framework is essential, not just for officers, but for anyone involved in law enforcement cases.

So, when is deadly force by a peace officer legally justified?

There are two main scenarios.

First, deadly force can be used to defend against an *imminent threat*—meaning an immediate danger of death or serious bodily injury.
Second, it can be used to apprehend a fleeing suspect—but only if that suspect committed a serious crime involving death or major harm, *and* the officer reasonably believes the suspect still poses an immediate danger to others if not caught.

Now, let's break down what "imminent threat" really means.

It's not about what might happen later. It has to be a real, immediate risk. And deadly force—like firing a weapon—must be the last option, used only when safer alternatives aren't available.

Here's where it gets even more specific: the law looks at whether the force used was *objectively reasonable*.
That means: would another trained officer, in the same moment, facing the same circumstances, have made the same call?

The analysis considers things like:

- How the suspect was acting,
- What the officer knew at the time,
- And how fast the situation was unfolding.

Importantly, the law doesn't judge officers based on what's learned after the fact. It focuses on what was known and perceived *in the moment*.

Another key point: **there's no duty to retreat**.
California law says officers don't have to back down when they're facing resistance or danger. They're allowed to stand their ground and use force if it's legally justified.

If a case like this goes to trial, and the officer raises self-defense or legal justification, the burden of proof falls on the prosecution.
They have to prove—beyond a reasonable doubt—that the officer's actions were *not* lawful. And if they can't do that, the law requires an acquittal.

One more thing: if there's a question about whether the person was even acting as a peace officer at the time, that's a decision for the jury. The court gives them the legal definition, but it's up to jurors to apply it to the facts.

Why does this all matter?

Because California has raised the standards for use of force—especially under Penal Code section 835a. Accountability is higher than ever. But the law also makes sure that officers acting within legal limits—making reasonable decisions in real, dangerous situations—are protected from criminal charges.

If you're navigating a case involving police use of force, understanding the legal boundaries can make all the difference. And if you're a peace officer under investigation, having strong legal representation is critical.